WAR 2 8 JOHN WELL III

PATENT 450100-3477.3

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### <u>IN THE UNITED STATES PATENT AND TRADEMARK OFFICE</u>

phicant

Naoki FUJISAKI

Serial No.

09/532,753

Filed

March 22, 2000

For

DIGITAL SERIAL DATA INTERFACE

Examiner

Min Jung

Art Unit

2663

Fifth Avenue

New York, New York 10151

Tel. (212) 588-0800

**EXPRESS MAIL** 

Mailing Label Number: EV 073699098 US

Date of Deposit: March 28, 2002

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated Above and is addressed to Assistant Commissioner of Patents, Washington, DC 20231.

(Type or printed name of person mailing paper or fee)

(Signature of person mailing paper or fee)

# <u>PETITION UNDER 37 C.F.R. 1.181 TO REQUEST REMAILING OF NOTICE OF ALLOWABILITY AND NOTICE OF ALLOWANCE</u>

Special Programs Examiner Technology Center 2663 Assistant Commissioner for Patents Washington, D.C. 20231

Dear Sir:

This is a Petition to request a re-mailing of Notice of Allowance and a Corrected

Notice of Allowance (herein "Allowance Papers") which purportedly issued and were mailed on

04/04/2002 HVUONG2 00000042 09532753

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March 20, 2001 and August 16, 2001 respectively, according to the Patent Application Information Retrieval (herein "PAIR") posted on the USPTO web site. This application presumably has become abandoned or will become abandoned due to Applicant's failure to timely pay the required issue fee within the statutory period of three months from the mailing date of the Notice of Allowance. The Allowance Papers if mailed, were not received by the undersigned as attorney of record for the subject application.

Applicant's attorney first learned of this application having being allowed by way of a status inquiry on PAIR for the above-referenced Serial Number on March 21, 2002, a copy of the status report is enclosed. Immediately upon learning of the above information, I caused Gordon Kessler, a partner in this law firm, to contact Examiner Min Jung by telephone. Mr. Kessler called Examiner Min Jung on March 22, 2002, and again on March 26, 2002, but without any success.

On March 27, 2002, I caused my assistant Laila Korde to call Customer Service, Technology Center 2600, and a Ms. Evan-Yzonne Brown there confirmed the PAIR information posted on the USPTO web site for the subject Serial Number.

A copy of the log of all incoming mail from the Patent and Trademark Office with a mailing date of March 20, 2001 and August 16, 2001, are enclosed as evidence that Applicant's attorney never received the Allowance Papers. The two logs showing all incoming mail from the PTO with the mailing dates of March 20, 2001 and August 16, 2001, do not include an entry for Serial No. 09/532,753. Applicant's attorney has examined his file of the above-identified application, but no Allowance Papers were found therein. Petitioner verily believes that said Allowance Papers, if mailed, were not received by the Petitioner, and accordingly, no issue fee has been paid by applicant's attorney on account of subject application.

Prompt action has been taken pursuant to 37 C.F.R. 1.8(b).

A check for \$130.00, being the petition fee is enclosed herein.

Petitioner respectfully requests that the Allowance Papers be re-mailed to the undersigned at the following address and the term for responding be reset with the mailing of such Allowance Papers.

William S. Frommer Frommer Lawrence & Haug 745 Fifth Avenue New York, New York 10151

Respectfully submitted, FROMMER LAWRENCE & HAUG LLP

By:

William S. Frommer Reg. No. 25,506 (212) 588-0800



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**Publication Review** 

### PATENT APPLICATION INFORMATION RETRIEVAL

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		Search results for ap	plication number 09/532,753
Application Filing Date:	03-22- 2000	Class / Sub-Class:	
Issue Date of Patent:		Location:	FILE MAINTENANCE FACILITY - 308-6789
Examiner Name:	JUNG, MIN		Notice of Allowance Malled – Application Received Publications
Group Art Unit:	2663	Attorney Docket Number:	450100-3477.3
<b>Earliest Publication No:</b>	-	Patent Number:	
Earliest Publication Date:	L .	Customer Number:	20999
Confirmation Number:	8266		

	E-Business Center Patents
	Employee Locator
	Class/Subclass GAU Information
V	Information Contacts

		Foreign	Priority	Continuity Data	Pub
				File Contents History	
	Number	Date		Contents	Description
	18	06-04-2001	Workflow - Fil	e Sent to Contractor	
	17	08-16-2001	Receipt into P		
	16	08-16-2001	Receipt into P		
	15 08-16-200		Mail Corrected Notice of Allowance		
	14	08-16-2001 Corrected Notice of Allowance Ma			
	13 03-20-2001		Mail Notice of Allowance		
12		03-20-2001	Notice of Allov	wance Data Verification Complete	ed .
	11	03-13-2001		rview Summary Record (PTOL - 4	
	10	03-16-2001	Notice of Allov		
١	9	03-13-2001		view Summary Record (PTOL - 4	13)
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Preliminary Amendment

Application Scanned

Initial Exam Team nn

Case Docketed to Examiner in GAU

Case Docketed to Examiner in GAU

Application Dispatched from OIPE

Correspondence Address Change

Information Disclosure Statement (IDS) Filed

10-06-2000

03-22-2000

03-22-2000

06-13-2000

05-24-2000

05-24-2000

04-12-2000

03-22-2000

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08/776959	US-ALLOWANCE	3/20/01
09/701786	US-MISSG PT-MLG	3/20/01
09/762977	US-MISSG PT-MLG	3/20/01
09/762506	US-MISSG PT-MLG	3/20/01
09/789154	US-MISSG PT-FLG	3/20/01
08/978846	US-3MON. ACTION	3/20/01
09/783654	US-MISSG PT-FLG	3/20/01
09/789980	US-MISSG PT-FLG	3/20/01

#### PTO BASE DATE REPORT

Applixamper .	ActionType	PTO/Base Date
09/331270	US-APPEAL BRIEF	8/16/01
09/583545	US-3MON. ACTION	8/16/01
09/857279	US-MISSG PT-FLG	8/16/01
08/950567	US-ALLOWANCE	8/16/01
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09/893929	US-MISSG PT-FLG	8/16/01
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